

Bennie Hamilton
3718 South Hazelwood street # 19
Las Vegas, Nevada 89119
(323) 703-7076
Benniehamilton23@yahoo.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

BENNIE HAMILTON,
Plaintiff,

vs.

I. STERLING INFOSYSTEMS, INC
II. ADVATANGE SALES AND
MARKETING, LLC
Defendant's

CASE NO.: 2:17-CV-020502

FIRST AMENDED COMPALINT

EMPLOYMENT LOSS OF WAGES

I N.R.S 589C.160 (1)

II F.C.R.A- WILFULL REFUSAL TO
COMPLY WITH ADDITIONAL
REQUIREMENTS BEFORE TAKING
ADVERSE ACTIONS

Plaintiff, Bennie Hamilton is a resident of Las Vegas, Nevada Clark County

Defendant, Sterling Infosystems Incorporated "Sterling" is a corporation doing
business in Las Vegas, Nevada

Defendant, Advantage Sales and Marketing, Inc "Advantage" is a corporation
doing business in Las Vegas, Nevada

1 Comes now pursuant to N.R.C.P rule 2.30 plaintiff seeks to amend complaint by

2 a). Adding a defendant

3 b). Correct One cause of action

4 c). Add additional cause of action.

5
6 On September 26, 2017 plaintiff was contacted by defendant "Sterling" attorney
7 Michael Mills. Defendant "Sterling" Attorney Mills called in regards of seeking
8 what plaintiff was willing to settle case for. Attorney Mills asked plaintiff a series
9 of questions, one involving if any action were being sought against defendant
10 "Advantage Solutions". Plaintiff informed attorney that no complaint had been
11 filed against defendant "Advantage Solutions".
12

13 After speaking with attorney Mills plaintiff conducted research and has
14 discovered N.R.S laws that defendant "Advantage Solutions" violated. Plaintiff
15 alleges in the amended complaint that defendant "Advantage Sales and
16 Marketing" violated FTC additional requirements for employers when defendant
17 "Advantage" took adverse actions before notifying plaintiff of background results.
18 FTC (www.eeoc.gov) additional rule requires that employers notify prospective
19 employees of results of background before adverse action be taken to allow
20 consumer time to dispute finding of consumer reports. Defendant's "Advantage"
21 refusal to follow FTC additional rules prevented plaintiff from sustaining
22 employment, since negative results had been corrected.
23
24
25
26
27

HISTORY

- I. On or about April 7th, 2016 plaintiff applied for employment with Defendant “Advantage”.
- II. On April 15th, 2016 plaintiff received a job offer letter (Exhibit A-1)
- III. Plaintiff was sent for drug screening and hired pending background check results (Exhibit A).
- IV. On May 9, 2016 plaintiff was emailed an adverse employment letter from defendant “Advantage” (Exhibit B).
- V. Defendant “Advantage” stated plaintiff’s background results returned with a conviction (Exhibit C).
- VI. Plaintiff contacted defendant “Advantage” via phone and explained that the negative background results were inaccurate.
- VII. Defendant “Advantage” provided plaintiff with contact information of defendants, who conducted the background check.
- VIII. On May 9, 2016 plaintiff contacted defendant “Sterling” and contested the results of the background check.
- IX. Defendant “Sterling” made no response or contact to plaintiff or any institutional source including defendant “Advantage” within the 5 business days and no later than 30 days pursuant to N.R.S 589c.160.

II. CAUSES OF ACTION

**VIOLATION OF N.R.S 589C.160 – Duties of Reporting Agency, When
Consumer Disputes Accuracy of Information In its Files.
(Allegation against Defendant Sterling Info Systems)**

- I. On January 15, 2017 plaintiff applied for employment with Scoobeez delivery services.
- II. Plaintiff was hired pending background check results.
- III. As a precaution plaintiff contacted defendant “Sterling” regarding background result conducted in 2016.
- IV. Defendant “Sterling” informed plaintiff that the background check results from 2016 were inaccurate.
- V. Defendant “Sterling” informed plaintiff that the mistakes had been corrected May 13, 2016.
- VI. Plaintiff asked defendant “Sterling” why no contact was made to plaintiff or defendant “Advantage”.
- VII. Defendant “Sterling” stated defendant “Advantage” was informed four times via email and that a report was sent to plaintiff.
- VIII. Plaintiff informed defendant “Sterling” that no such record was received.
- IX. Plaintiff contacted defendant “Advantage” in regards of defendant “Sterling” statement.

1 X. Defendant "Advantage" claimed they received no emails in connection
2 with corrections of plaintiff's background results.

3 XI. On January 20, 2016 plaintiff contacted defendant "Sterling" via email
4 and requested proof of contact to defendant "Advantage" and plaintiff.

5 XII. Defendant "Sterling" have refused to cooperate with plaintiff.

6 XIII. As a result of defendant "Sterling" willful refusal to comply with N.R.S
7 589C.160 plaintiff was not hired.

8 XIV. Advantage Solutions was to employ defendant full time at a starting pay of
9 \$10.00 hourly.

10 On April 24, 2017 plaintiff received a letter of a class action lawsuit against
11 defendant, claiming plaintiff as a member (Exhibit D). Plaintiff has opted out of class action
12 lawsuit and is commencing litigation as an individual against plaintiff.

13 **Violation of F.R.A.C- willful Refusal to Comply with Additional**
14 **Requirements Before Taking Adverse Actions**

15 **(Allegation Against Defendant Advantage Sales and Marketing)**

16 I. On or about April 7th, 2016 plaintiff applied for employment with Defendant
17 "Advantage".

18 II. On April 15th, 2016 plaintiff received a job offer letter (Exhibit A-1)

19 III. Plaintiff was sent for drug screening and hired pending background check results
20 (Exhibit A).

21 IV. On May 9, 2016 plaintiff was emailed an adverse employment letter from defendant
22 "Advantage" (Exhibit B).

V. Defendant "Advantage" stated plaintiff's background results returned with a conviction (Exhibit C).

VI. Plaintiff contacted defendant "Advantage" via phone and explained that the negative background results were inaccurate.

VII. Defendant "Advantage" provided plaintiff with contact information of defendants, who conducted the background check.

Pursuant to the Federal Trade Commission Rules (additional requirements) are implemented to employers before taking an adverse action (www.eeoc.gov). FTC additional requirement obligated defendant "Advantage"

a. To provide plaintiff with a notice that includes a copy of the consumer report defendant "Advantage" relied on to make its decision.

b. A copy of "A Summary of Your Rights Under the Fair Credit Reporting Act." Defendant "Advantage" refused to comply with FTC rules and instead took it upon themselves to take an adverse action against plaintiff, a prospective employee.

PRAYER FOR RELIEF

Plaintiff seek monetary damages in the amount of \$75,000 or more or to be determined by judge. Plaintiff also seeks equitable relief of rehiring.

I. Actual Damages

a) \$29,200 (defendant Advantage Sales and Marketing)

b) Pursuant to N.R.S 589c.190-589c.200 plaintiff seeks \$29,200 against (defendant Sterling Info systems)

II. Punitive Damages

Plaintiff seeks punitive damages from both defendants to be determined by judge. Plaintiff does point out the class action lawsuit as evidence that defendant "Sterling" had knowledge of inaccurate information in their files prior to conducting a background investigation against plaintiff.

III. Equitable Relief

Plaintiff request that defendant Advantage Sales and Marketing rehire and negotiate a contract with plaintiff.


Oct 9, 2017


Exhibit
A



Bennie Hamilton <betterdayzinc@gmail.com>

Welcome to ASM! NEW HIRE PAPERWORK-ROUND 1

1 message

Carri Kranz <asm+email+3vqrm1.5dpt@agents.icims.com>
To: betterdayzinc@gmail.com

Fri, Apr 15, 2016 at 1:29 PM

Hello Bennie,

We are very excited that you have accepted a conditional offer of employment with Advantage Sales & Marketing LLC dba Advantage Solutions! As part of our onboarding process and in order to be approved to start, you will need to successfully complete all paperwork requirements and satisfy any employment screenings. To get started, please click on the New Hire Portal link below and promptly complete each step. You will also be able to update any changes in your personal information and review relevant company documentation.

Please see the following additional details:

Direct Deposit Information: A direct deposit form is included as an option to complete through the below link. Please note; If you elect direct deposit, your first 1-2 checks will come live in the mail. If you choose not to elect direct deposit, please do not fill out the electronic form, but instead click the "accept" button at the bottom of the page. You will then receive a live check in the mail. You also have an option to elect a Pay Card. To elect this method, please call 800-765-9402.

Please contact Advantage Solutions' Onboarding Department at 800-765-9402 if you have any questions.

<https://onboarding-asm.icims.com/>

Login Name: BetterDayz

If you do not remember your password or need to reset you can do so here: <https://onboarding-asm.icims.com/onboard/password?v=BetterDayz&v=f3df92b0ee58231bc1347e9661f750f5cb782dab&t=1460752158953&hashed=628565468>

Winning together,
Carri Kranz

Advantage Sales & Marketing LLC dba Advantage Solutions
1700 Carnegie Avenue Suite 250
Santa Ana, CA 92612
(800) 765-9402

(ET018)

Exhibit
B



ADVANTAGE SOLUTIONS

May 9, 2016

Bennie Hamilton
3718 South Hazelwood street #19
Las Vegas , Nevada 89119

Dear Bennie ,

In connection with your application for employment/employment with Advantage Sales & Marketing LLC dba Advantage Solutions (ASM or the "Company"), you consented to an independent investigation of your background, including past employment and education, motor vehicle records, criminal records and/or credit check based on the offered position, subject to applicable laws. The Company contracted with STERLING INFOSYSTEMS, INC (the "Consumer Reporting Agency") to procure this information (the "Consumer Report").

As you were informed during the employment application process, unsatisfactory results of a background investigation conducted before, or anytime during, employment with ASM may result in either (i) withdrawal of any offer of employment already extended, or (ii) termination of employment, if already hired. Information we recently received in a Consumer Report obtained by the Consumer Reporting Agency may adversely affect your eligibility for employment or continued employment if already employed by the Company. The Consumer Reporting Agency does not participate in any employment decision by the Company and will be unable to provide you with specific reasons as to why the Company may choose to take an adverse employment action.

Enclosed are a copy of the Consumer Report, a copy of your rights under the federal Fair Credit Reporting act and any relevant state-specific information. You have the right to dispute with the Consumer Reporting Agency the accuracy or completeness of any information contained in the Consumer Report. You may contact the Consumer Reporting Agency as follows:

Sterling Infosystems, Inc.
Dispute Resolution Department
6111 Oak Tree Boulevard
Independence, OH 44131
Phone: 888.889.5248
Email: disputeresolution@sterlinginfosystems.com

NEXT STEPS

If you are going to contact the Consumer Reporting Agency to dispute the contents of the enclosed reported per the instructions above, you must also contact me by May 17, 2016 to advise the Company that you are doing so. In addition, if you acknowledge the accuracy of the enclosed report, but you wish to provide the Company with any additional information that you believe to be relevant to the facts contained in the enclosed report as they relate to your eligibility for employment, or continued employment with ASM, you may submit that information by contacting me at the phone number and email address provided below.

The Company will review any further information you timely provide to the Company as well as any revised report timely received from the Consumer Reporting Agency in evaluating your eligibility for employment, or continued employment with ASM. Please take note that contacting the Company does not substitute for contacting the Consumer Reporting Agency, which is necessary to dispute the contents or accuracy of the enclosed report.

If, within 8 calendar days of the date of this letter, you do not contact the Consumer Reporting Agency and/or the Company (as applicable per above instructions) regarding the contents of the enclosed report; or if (within that same timeframe) you are unable to satisfactorily dispute the accuracy or completeness of the information in the Consumer Report or you cannot satisfactorily demonstrate why you should remain eligible for employment, or continued employment, notwithstanding the contents of the report, you may no longer be eligible for employment, or continued employment, with the Company.

Please contact me with any additional questions regarding this letter as well.

Sincerely,

Talent Acquisition

Exhibit
C

COMPLETE REPORT - ADVERSE

OrderID - 45113340

HAMILTON, BENNIE ANTONIO
3718 SOUTH HAZELWOOD STREET #19
LAS VEGAS, NV 89119

ADVANTAGE SALES AND MARKETING INC (BILLCODE: 922703)

1700 CARNEGIE AVE, SUITE 250, SANTA ANA, CA 92705

SANTA ANA, CA 92705

PHONE: 888.889.5248

DisputeResolution@sterlingbackcheck.com

***** CONFIDENTIAL BACKGROUND SCREENING REPORT *****

(INFORMATION CONTAINED IN THIS REPORT IS PUBLISHED IN ACCORDANCE WITH FEDERAL AND NV STATE LAWS)

REPORT SUMMARY

COMPONENT	IDENTIFIERS	STATUS	RESULTS
<u>SSN Trace</u>	XXX-XX-1193	Complete	Complete
<u>County Criminal Record</u>	Hamilton, Bennie Antonio, CA-LOS ANGELES	Complete	Review
<u>County Criminal Record</u>	Hamilton, Bennie Antonio, NV-CLARK	Complete	Passed
<u>Locator - County Validator</u>	Hamilton, Bennie Antonio, CA-SAN BERNARDINO	Complete	Passed
<u>Locator Select</u>	Hamilton, Bennie Antonio	Complete	Complete
<u>Registered Drug Test - 10 Panel Urine Drug Test</u>	Hamilton, Bennie Antonio, EChain	Complete	Passed
<u>DOJ Sex Offender Search</u>	Hamilton, Bennie Antonio	Complete	Passed
<u>Client Matrix Application</u>	Hamilton, Bennie Antonio, Client Matrix Application	Complete	Complete
<u>Enhanced Nationwide Criminal Search</u>	Hamilton, Bennie Antonio	Complete	Complete

California Applicants/Employees Only: The report does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records, and information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of the report. An investigative consumer reporting agency shall provide a consumer seeking to obtain a copy of a report or making a request to review a file, a written notice in simple, plain English and Spanish setting forth the terms and conditions of his or her right to receive all disclosures, as provided in Section 1786.26.

S77lo para los Solicitantes/Empleados de California: En el informe no se garantiza la exactitud o veracidad de la informaci??n en cuanto al tema de la investigaci??n, sino s77lo que se ha copiado exactamente de los registros p??blicos, y la informaci??n generada como resultado del robo de identidad, incluyendo las pruebas de una actividad delictiva, podr??a estar incorrectamente asociada con el consumidor que sea el sujeto del informe. Una agencia investigadora de informes de cr??dito deber?? suministrarle a un consumidor que trate de obtener una copia de un informe o solicite revisar un archivo una notificaci??n por escrito en ingl??s y espa??ol lisos y llanos, en la que se establezcan los t??rminos y las condiciones de su derecho a recibir toda la informaci??n, como se dispone en la Secci??n 1786.26.

Pursuant to Minn. Stat. Ann. ?? 332.70(4): The report may include information that has been expunged, sealed, or has otherwise become inaccessible to the public since the date it was

~~This report or portions of this report may have been rated or scored pursuant to criteria provided by the end-user. The rating is merely to ease the reviewer(s) review of the report and does not indicate that any employment decision has been made. Regardless of any score, absent any statutory provision mandating an employment action, an individualized analysis should be performed.~~

The scope of any criminal history search is a minimum of seven years. Records may or may not exist that are not reportable under state or federal reporting restrictions for consumer reporting agencies.

Sterling provides the information contained in this report to End-User to be used solely for a permissible purpose as defined in the Fair Credit Reporting Act. If the End-User intends to take adverse action based in whole or in part on the contents of this report, the End-User must provide the consumer with notices that it is taking adverse action and those notices must comply with the FCRA and state law. All information contained in this report is provided pursuant to the terms of the End-User Agreement. End-User further understands that it uses any and all information provided by Sterling at its own risk and End-User is solely liable for complying with all federal, state, and local laws. The information contained in this report is confidential and may only be accessed by authorized employees of End-User, provided to the consumer about who it relates, or provided as otherwise required by law.

The scope of the criminal history search is 7 years plus. Due to State and Federal reporting guidelines for consumer reporting agencies, there are criminal records that may not be reported.

SSN Trace

Complete

Data as Provided

Pin Number XXX-XX-1193

Last Name Hamilton

First Name Bennie

Middle Name Antonio

The provided social security number has returned potential matching information related to the subject of this report.
This information is an investigative tool only and should not be used as the basis of any employment decision.

Reported Data

Report requested on: 4/18/2016 Report completed on: 4/18/2016

Name: Hamilton, Bennie Antonio

SSN: XXX-XX-1193

County Criminal Record

Review

Data as Provided

Last Name Hamilton

First Name Bennie

Middle Name Antonio

Pin Number XXX-XX-1193

DOB 6/11/XX

Gender UnKnown

Jurisdiction CA-LOS ANGELES (207)

Verified Data

Report requested on: 4/18/2016 Report completed on: 5/7/2016

DOB: 01/11/XX

Case Comments: **Case Type: Conviction****Case Level: Misdemeanor****Case Status: Closed Case****Filed Date: 05/25/2012****Disposition Date: 01/23/2013****Charges****Type: Misdemeanor****Original Charge: disorderly conduct (prostitution)****Disposition: CONVICTED****Sentence: Type: Probation****Consecutive: No****Suspended: No****Length: 24 Months****Type: Fine****Suspended: No****Fine Amount: \$170.00****Type: Community Service****Consecutive: No****Suspended: No****Length: 120 Hours****County Criminal Record****Passed****Data as Provided****Last Name Hamilton****First Name Bennie****Middle Name Antonio****Pin Number XXX-XX-1193****DOB 6/11/XX****Gender UnKnown****Jurisdiction NV-CLARK (1971)****Verified Data****Report requested on: 4/18/2016 Report completed on: 4/22/2016****Locator - County Validator****Passed****Data as Provided****Last Name Hamilton****First Name Bennie****Middle Name Antonio****Pin Number XXX-XX-1193****DOB 6/11/XX****Gender UnKnown****Jurisdiction CA-SAN BERNARDINO (224)****Verified Data****Report requested on: 4/18/2016 Report completed on: 4/26/2016**

**MEDICAL REVIEW OFFICER:****Lab Details:**

Regulation: Non-DOY
 Lab Account: 10374728
 Collector:

Collection Site: Quest Diagnostics-Las Vegas - 4230 Bur
 4230 Burnham Ave # 144
 Las Vegas, NV 89119
 7022573678 Ext:

DOJ Sex Offender Search**Passed****Data as Provided**

Last Name Hamilton
 First Name Bennie
 Middle Name Antonio
 Pin Number XXX-XX-1193
 DOB 6/11/XX
 Gender Unknown

Verified Data

Report requested on: 4/18/2016 Report completed on: 4/19/2016

Case LIMITATIONS ON THE DOJ 50 STATE SEX OFFENDER SEARCH

Comments: 1. NEVADA: THIS SEARCH DOES NOT PROVIDE RESULTS FROM THE STATE OF NEVADA, AS BY BOTH STATUTE AND REGULATION, INFORMATION FROM THE NEVADA SEX OFFENDER REGISTRY WEB SITE CANNOT BE USED FOR EMPLOYMENT PURPOSES AND CANNOT BE DISTRIBUTED COMMERCIALY.
 2. OREGON: THIS SEARCH HAS SPECIAL CONDITIONS FROM THE STATE OF OREGON. INFORMATION IS ONLY PROVIDED FOR SEX OFFENDERS WHO HAVE BEEN DESIGNATED AS PREDATORY, AS PROVIDED IN ORS 181.585, WHO HAVE BEEN DETERMINED TO PRESENT THE HIGHEST RISK OF REOFFENDING AND TO REQUIRE THE WIDEST RANGE OF NOTIFICATION OR ARE FOUND TO BE A SEXUALLY VIOLENT DANGEROUS OFFENDER UNDER ORS 144.635.

Client Matrix Application**Data as Provided**

Last Name Hamilton
 First Name Bennie
 Middle Name Antonio

Verified Data

Report requested on: 4/18/2016 Report completed on: 4/18/2016

Enhanced Nationwide Criminal Search**Complete****Data as Provided**

Last Name Hamilton
 First Name Bennie
 Middle Name Antonio
 Pin Number XXX-XX-1193
 DOB 6/11/XX

The provided applicant demographics have been searched against the USMJ database. Reportable/verified information where found is reported under the source jurisdiction and labeled as originating from this data.

Para información en español, visite www.consumerfinance.gov/learnmore o escriba a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20006.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20006.

- You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

- a person has taken adverse action against you because of information in your credit report;

- you are the victim of identity theft and place a fraud alert in your file;

- your file contains inaccurate information as a result of fraud;

- you are on public assistance;

- you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- You have the right to ask for a credit score. Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- Access to your file is limited. A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- You must give your consent for reports to be provided to employers. A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report. Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.
- You may seek damages from violators. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- Identity theft victims and active duty military personnel have additional rights. For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:

CONTACT:

JUL-10-1193

	Washington, DC 20006
b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the Bureau:	b. Federal Trade Commission: Consumer Response Center ??? FCRA Washington, DC 20580 (877) 382-4357
2. To the extent not included in item 1 above:	
a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks	a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050
b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act	b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480
c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations	c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106
d. Federal Credit Unions	d. National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314
3. Air carriers	Asst. General Counsel for Aviation Enforcement & Proceedings Department of Transportation 1200 New Jersey Avenue, SE Washington, DC 20590
4. Creditors Subject to Surface Transportation Board	Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street SW Washington, DC 20423
5. Creditors Subject to Packers and Stockyards Act	Nearest Packers and Stockyards Administration area supervisor
6. Small Business Investment Companies	Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416
7. Brokers and Dealers	Securities and Exchange Commission 100 F St NE Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations	Farm Credit Administration 1501 Farm Credit Drive Mclean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	FTC Regional Office for region in which the creditor operates or Federal Trade Commission: Consumer Response Center ??? FCRA Washington, DC 20580 (877) 382-4357

Data as Provided

Last Name Hamilton
 First Name Bennie
 Middle Name Antonio
 Pin Number XXX-XX-1193
 DOB 6/11/XX
 State NV
 Zip Code 89119

Verified Data

Report requested on: 4/18/2016 Report completed on: 4/18/2016

If the Search revealed any potential reportable information that was not up to date, primary source searches were initiated to ensure only up to date information is reported. Any information from such primary source searches is located elsewhere in this report.

Registered Drug Test

Passed

Data as Provided

Last Name Hamilton
 First Name Bennie
 Middle Name Antonio
 Pin Number XXX-XX-1193
 Request form ID EChain

Test Type 4UDT10-10 Panel Urine Drug Test (4455)

Verified Data

Report requested on: 4/18/2016 Report completed on: 4/21/2016

Lab Name: Quest

Request Form ID: 2109930

SUBJECTID: XXXXX1193

Collected: 2016-04-20 11:46:00.0

Received: 2016-04-21 08:41:00.0

Reported: 2016-04-21 15:25:38.463

Specimen: 2109930

Test Reason: Pre-Employment

MRO Results:

NEGATIVE

PHENCYCLIDINE:	NEGATIVE
PROPOXYPHENE:	NEGATIVE
OPIATES (2000 NG/ML SCREEN):	NEGATIVE
AMPHETAMINES:	NEGATIVE
COCAINE:	NEGATIVE
BARBITURATES:	NEGATIVE
METHADONE:	NEGATIVE
BENZODIAZEPINES:	NEGATIVE
METHAQUALONE:	NEGATIVE
MARIJUANA METABOLITES, (50 NG/ML SCREEN):	NEGATIVE

For laboratory-based urine drug testing, laboratory analysis for Amphetamines includes screening for Amphetamines as well as Methamphetamines. Consequently, a negative result for Amphetamines in result reporting to an employer without a separate result specified for Methamphetamines represents a negative result for both Methamphetamines as well as Amphetamines..

Exhibit

D

A FEDERAL COURT ORDERED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**

Ridenour and Hakim v. Multi-Color Corporation and Sterling Infosystems, Inc. (the "Lawsuit")
Civil Action No. 2:15-cv-41

NOTICE OF CLASS ACTION SETTLEMENT

AUTOMATIC PAYMENT CLASS

You have received this notice because records indicate that you were the subject of a background check prepared by Sterling Infosystems, Inc. ("Sterling"), provided to a third party between January 29, 2013 and October 31, 2016, and that contained at least one criminal record. You disputed to Sterling the criminal record(s) in your report, and Sterling amended your report as a result of your dispute.

Your legal rights will be affected by the Settlement of this Lawsuit. Please read this notice carefully. It explains the Lawsuit, the Settlement, and your legal rights, including the process for receiving a settlement check, excluding yourself from the Settlement, or objecting to the Settlement.

If you live, or previously lived, in Virginia there is also a second part of the Settlement that may affect your rights. If Sterling's records indicate you are or were a Virginia resident about whom it provided to a third party a consumer report containing criminal record information between February 15, 2010 and October 31, 2016, you will receive a second notice packet explaining how to participate in that settlement. You could be a member of both of these settlement classes.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

IF YOU DO NOTHING	If the Court approves the Settlement and you do nothing, you will receive a cash payment of a pro-rata payment of a settlement fund created for the Class – estimated to be between \$20 and \$85. You will not be able to sue Sterling for any claims under the Fair Credit Reporting Act except that you will retain the right to bring an individual claim for any alleged inaccuracy of reports Sterling issued about you.
IF YOU EXCLUDE YOURSELF FROM THE SETTLEMENT	Get out of this Lawsuit. Get no benefits from it. Keep your rights. If you ask to be excluded, you won't receive any money from the Settlement. But, you keep any rights to sue Sterling separately about the same legal claims in this Lawsuit that you otherwise would have had. No attorney will represent you unless you hire your own attorney.
IF YOU OBJECT	You may write to the Court and tell it what you don't like about the Settlement. You will remain a part of the Class and will share in the Settlement. The Court will consider your views when deciding whether the Settlement is fair.

ADDITIONAL INFORMATION ABOUT THE LAWSUIT, THE SETTLEMENT, AND YOUR RIGHTS IS ON THE SETTLEMENT WEBSITE, www.SterlingVirginiaSettlement.com. You can call (757) 930-3660 or (703) 424-7730, or write to the Class Counsel, Leonard A. Bennett, Consumer Litigation Associates, P.C., 763 J. Clyde Morris Blvd., Suite 1-A, Newport News, VA 23601, or by e-mail at len@clalegal.com. PLEASE, DO NOT CALL THE COURT OR STERLING'S COUNSEL REGARDING THIS SETTLEMENT.

1. Why did I receive this notice?

You are a member of the Automatic Payment Settlement Class and are affected by the Settlement because Sterling's records indicate that you were the subject of a consumer report prepared by Sterling and that contained criminal information that was sold to a third party between January 29, 2013 and October 31, 2016. Thereafter you directly or indirectly disputed such criminal record information contained in your consumer report, which resulted in an amendment to the criminal record information contained in the report.

Specifically, for the purposes of settlement only, the Court has provisionally certified a Settlement Class defined as follows:

All natural persons residing in the United States (including all territories and other political subdivisions of the United States) (i) who were the subject of a consumer report sold by Sterling on any platform of Sterling to a third party from January 29, 2013 through October 31, 2016, (ii) whose report contained a criminal record, (iii) who then directly or indirectly disputed such criminal record contained in their consumer report with Sterling, and (iv) whose dispute resulted in an amendment to the criminal record of their report.

California State University
Dominguez Hills
College of Extended & International Education

Bennie Hamilton

Certificate of Completion
in

Paralegal Studies Core

90 Clock Hours

Dear J. Kim McQuinn
College of Extended & International Education
Fall 2016